

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Allegation of corruption against of Sri E.Laxmi Narsimhulu, Deputy Executive Engineer, Minor Irrigation, Allagadda Sub-Division, Allagadda, Kurnool District (AO-1) –Sanction of Prosecution under the provisions of the Prevention of Corruption Act, 1988 – Orders – Issued.

IRRIGATION & C.A.D. (IW:SERVICES-VI(2) DEPARTMENT

G.O.Ms.No. 159

Dated: 25-11-2011.

ORDER:

Whereas, Sri E.Laxmi Narasimhulu, S/o E C.Narasimhulu of Nandyal Town, Kurnool District worked as Deputy Executive Engineer, Minor Irrigation, Allagadda Sub-Division, Allagadda, Kurnool District from 14.12.2007 to 03.07.2010 and as such, he falls under the category of Public Servant within the meaning of clause (c) of Section 2 of the Prevention of Corruption Act, 1988 (Act 49 of 1988).

2. And whereas, it is alleged that Sri B.V.Ramana Goud, S/o B.Nagaiah, (complainant), is a native of Tuvvapalli Village of Rudravaram Mandal and lives by doing agriculture and petty contract works. They are five brothers. Sri B.V.Ramana Goud has 1.25 Acres of land under Venganapalli tank and all his brothers also have fields under the same Tank. All the Ayacut farmers of the said Venganapalli tank have elected one Sri Yuvaraju, the younger brother of Sri B.V.Ramana Goud as President of Water Users Association in the year 2008. Sri B.V.Ramana Goud was also elected as a T.C.member of the said association. While so, the Government sanctioned an amount of Rs.4.90 lakhs towards the flood damage repairs of the said Venganapalli tank for the year 2009-10. The Association members unanimously resolved a Resolution on 17.05.2010 to get the flood damage repairs done through the President, Sri Yuvaraju. While so the Mandal Parishad Development Officer, Rudravaram Mandal approved the said Resolution and affixed his signature on the same on 25.05.2010. as Sri B.V.Ramana Goud's younger brother Sri Yuvaraju was not doing well and as he fell ill, Sri B.V.Ramana Goud himself is attending the works allotted to Sri Yuvaraju. So on behalf of Sri Yuvaraju, Sri B.V.Ramana Goud approached Sri A.Venkata Ramana, A.E., Minor Irrigation Allagadda (AO-2) on 26.05.2010 and handed over the Original Resolution copy to him and requested him to prepared the work estimation and to forward the same to the Executive Engineer, M.I., Nandyal through Deputy Executive Engineer, Allagadda. For that, the Assistant Engineer, Sri Venkata Ramana demanded bribe amount of Rs.2,000/- for doing the said official favour. Upon that Sri B.V.Ramana Goud met Sri E.Laxmi Narasimhulu, Deputy Executive Engineer in the same office on the same day and explained him about the said work estimation and requested him to prepare and forward the work estimation to Executive Engineer, Nandyal for entering into the work agreement. On that Sri E.Laxmi Narasimhulu, Deputy Executive Engineer also demanded bribe amount Rs.10,000/-. For that, Sri B.V.Ramana Goud returned back saying that he is unable to pay the said bribe amount. Again on 01.07.2010 when Sri B.V.Ramana Goud met Sri Sri E.Laxmi Narasimhulu, Deputy Executive Engineer has emphasized to pay the said bribe amount Rs.10,000/- and also informed to Sri B.V.Ramana Goud that he would not do the work unless bribe amount is given to him. So also Sri A.Venkata Ramana, Assistant Engineer asked Sri B.V.Ramana Goud not to enter the office without the bribe amount. Due to invariable condition and unwillingly Sri B.V.Ramana Goud accepted to pay the bribe amounts to both of them. Then both the Deputy Executive Engineer & Assistant Engineer asked Sri B.V.Ramana Goud to approach them at RDO's Office, Nandyal on 03.07.2010 after 1.30 PM as they have a meeting at Revenue Divisional Officer's Office on 03.07.2010 and further informed that they would get the concerned file to RDO office, Nandyal.

(P.T.O.)

3. And whereas, it is alleged that Sri B.V.Ramana Goud, who was unwilling to pay bribe amounts to Rs.10,000/- and Rs.2,000/-, went to A.C.B. Office, Kurnool and preferred a written complaint against Sri E.Laxmi Narsimhulu, Deputy Executive Engineer and Sri A.Venkata Ramana, Assistant Engineer, Minor Irrigation, Allagadda Sub-Division, Kurnool District on 01.07.2010 at 17.30 hours. After due verification, on 03.07.2010 at 08.00 hours the D.S.P., A.C.B., Kurnool registered the complaint as Cr.No.5/RCT-KUR/2010 under section 7 of the Prevention of Corruption Act, 1988 and took up investigation and made all legal formalities to lay a trap.

4. And whereas, it is further alleged that during the course of investigation, at the time of Trap on 03.07.2010, Sri B.V.Ramana Goud got down from the vehicle and proceeded towards the RDO's Office Nandyal. Sri B.V.Ramana Goud returned and met DSP, ACB, Kurnool after 5 minutes and stated that the meeting was still going on in RDO office. The DSP, ACB, Kurnool asked Sri B.V.Ramana Goud to keep waiting for the arrival of both Sri E.Laxmi Narasimhulu, Deputy Executive Engineer and Sri A.Venkata Ramana, Assistant Engineer of meeting with RDO. While so at about 1.55 PM, the Sri E.Laxmi Narasimhulu and Sri A.Venkata Ramana came out from RDO's Office with files in their hands and met Sri B.V.Ramana Goud. Then Sri E.Laxmi Narasimhulu, asked Sri B.V.Ramana Goud whether the demanded bribe amount was brought. When Sri B.V.Ramana Goud answered affirmatively Sri E.Laxmi Narasimhulu asked him to follow him upto his car. While they were proceeding towards said car, in the meantime Sri Venkata Ramana, Assistant Engineer enquired Sri B.V.Ramana Goud whether the bribe amount of Rs.2,000/- demanded by him was brought, for which B.V.Ramana Goud answered positively. Sri B.V.Ramana Goud along with Sri E.Laxmi Narasimhulu, Deputy Executive Engineer and Sri A.Venkata Ramana, Assistant Engineer walked upto the white Ambassador Car AP 26W 3114 parked on RDO's office road at a distance of about 80 feet from RDO's office. Then Sri E.Laxmi Narasimhulu, Deputy Executive Engineer opened the right rear door of the car and seated in it. Then Sri E.Laxmi Narasimhulu, Deputy Executive Engineer demanded Sri B.V.Ramana Goud to pay his bribe amount him. Accordingly Sri B.V.Ramana Goud gave the tainted amount of Rs.10,000/- to Sri E.Laxmi Narasimhulu by taking out the same from his right side trousers pocket. Sri E.Laxmi Narasimhulu received the said amount with his right hand and counted the same with his both hands. Meanwhile Sri A.Venkata Ramana, Assistant Engineer also demanded Sri B.V.Ramana Goud to pay his bribe amount of Rs.2,000/- to him. Accordingly Sri B.V.Ramana Goud paid the bribe amount of Rs.2,000/- to Sri A.Venkata Ramana who was standing by the side of the said car by taking out the same from his right back pocket of his trouser. Sri A.Venkata Ramana received the same with his right hand, counted with both hands and kept the same in his left front pocket of his trouser. Then Sri E.Laxmi Narasimhulu showed the Original Resolution and Work Estimation Booklet to Sri B.V.Ramana Goud and informed him that he would send the same to Executive Engineer, M.I., Nandyal immediately. Both the hand fingers of Sri E.Laxmi Narasimhulu and Sri A.Venkata Ramana when tested with sodium carbonate solution test, it yielded Positive results. The tainted currency notes of Rs.10,000/- were recovered from the Ambassador car of Sri E.Laxmi Narasimhulu at the foot rest at his instance. The tainted currency notes of Rs.2,000/- were recovered from the left side pocket of the trousers of Sri A.Venkata Ramana. The inner linings of the left front pocket of the trousers of A.Venkata Ramana, when subjected to test, also yielded positive results. The cotton swab rubbed on the two currency notes of Rs.500/- each which came into contact with the tainted amount and seized from the left front pocket of Sri A.Venkata Ramana and the cotton swab rubbed on the foot rest of the car of Sri E.Laxmi Narasimhulu when subjected to test also yielded positive results.

Contnd..3.

The currency note numbers and denomination of tainted amount of Rs.10,000/- and Rs.2,000/- tallied with those noted in the pre-trap proceedings. The Deputy Superintendent of Police, Anti-Corruption Bureau, Kurnool arrested Sri Laxmi Nasimhulu, Deputy Executive Engineer and Sri A.Venkata Ramana, Assistant Engineer at 0520 hours on 04.07.2010 and sent them for remand.

5. And whereas, the above said acts of Sri E.Laxmi Narasimhulu, Deputy Executive Engineer, Minor Irrigation, Allagadda Sub-Division, Allagadda, Kurnool District constitute offences punishable under section 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act 1988 (Act 49 of 1988).

6. And whereas, the Government of Andhra Pradesh, being the competent authority to remove the said Sri E.Laxmi Narasimhulu, Deputy Executive Engineer from Government service after fully and carefully examining the copies of FIR, Mediators reports, statement of witnesses seized documents, final report and others material placed before them in respect of the above said allegations and having regard to the facts and circumstances of the case, consider that the said Sri E.Laxmi Narasimhulu, Deputy Executive Engineer should be prosecuted in a competent court of Law for the aforesaid offences.

7. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section(1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri E.Laxmi Narasimhulu, Deputy Executive Engineer for the above said offences punishable under section 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act 1988 (Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of above said acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(SHAIENDRA KUMAR JOSHI)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau, Hyderabad.

Copy to:
The Law (B) Department.

Section officer